

BARRY I. SLOTNICK
Partner

345 Park Avenue
New York, NY 10154

Direct 212.407.4162
Main 212.407.4000
Fax 212.202.7942
bslotnick@loeb.com

Via ECF

February 15, 2017

Hon. J. Paul Oetken
United States District Court for the Southern
District of New York
40 Foley Square
New York, NY 10007

Re: Craig v. UMG Recordings, Inc., et al., Case No. 16 Civ. 5439 (JPO)

Dear Judge Oetken:

We represent Defendants UMG Recordings, Inc. ("UMG"), Estate of Riley B. King ("Estate") and Kingsid Ventures, Ltd. ("Kingsid" and together with UMG and Estate, "Defendants").

We write pursuant to Rule 3.C. of Your Honor's Individual Practices, to request an adjournment of certain deadlines set forth in the October 4, 2016 Civil Case Management Plan and Scheduling Order (Dkt. No. 21), as amended by the December 16, 2016 Order (Dkt. No. 24, the "Scheduling Order") until a decision is issued on a discovery dispute pending before the Court (Dkt. Nos. 26-27, the "Discovery Dispute").

Over the past few months, the parties have exchanged initial disclosures and first sets of document requests and interrogatories, as well as responses to those discovery requests and document productions. However, the parties have been unable to resolve the Discovery Dispute regarding whether Kingsid should be deposed, and where the depositions of Defendants should take place. Because the only depositions that have been noticed are for the parties, substantial resources will be saved by adjourning further discovery until after a decision is issued on the Discovery Dispute.

Defendants therefore respectfully request that the Court modify the Scheduling Order as follows:

<u>Event in Scheduling Order</u>	<u>Current Deadline</u>	<u>New Deadline</u>
Depositions of fact witnesses	February 27, 2017	30 days after entry of an Order determining the Discovery Dispute
Requests to admit	March 6, 2017	40 days after entry of an Order determining the Discovery Dispute



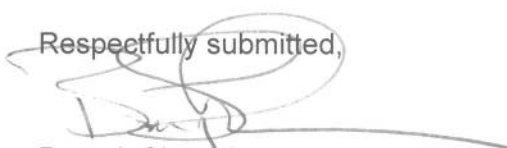
Hon. J. Paul Oetken
 February 15, 2017
 Page 2

Close of all fact discovery	March 15, 2017	60 days after entry of an Order determining the Discovery Dispute
Expert disclosures for plaintiff	March 17, 2017	10 days after close of all fact discovery
Case Management Conference	March 24, 2017, 10:30am	Adjourned <i>sine die</i> pending further Court order
Expert disclosures for defendants	March 31, 2017	30 days after close of all fact discovery
Close of all expert discovery	May 3, 2017	60 days after close of all fact discovery

This is the second request for an adjournment of the above dates. The first request was granted by the Court on December 16, 2016 Order (Dkt No. 24). Plaintiff consents to the above-requested adjournment.

We thank the Court for its consideration of this matter.

Respectfully submitted,



Barry I. Slotnick
 Partner

cc: Richard Liebowitz, Esq. (via ECF)

12374368